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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/795,807	03/08/2004	Salar Arta Kamangar	Google-40APP (GP-092-00-U)	7711
82402	7590	10/28/2010	EXAMINER	
Straub & Pokotylo 788 Shrewsbury Avenue Tinton Falls, NJ 07724				
			ART UNIT	PAPER NUMBER
			3688	
			MAIL DATE	DELIVERY MODE
			10/28/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action
Before the Filing of an Appeal Brief

Application No.

10/795,807

Applicant(s)

KAMANGAR ET AL.

Examiner

DANIEL LASTRA

Art Unit

3688

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

THE REPLY FILED 12 October 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: _____.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/DANIEL LASTRA/
Primary Examiner, Art Unit 3688

Continuation of 11, does NOT place the application in condition for allowance because: The Applicant argues that Angles does not anticipate claims 17-20 and 50-3 because according to the Applicant, Angles does not teach at least two of a first ad network, second ad network, first ad agency and a second ad agency and the at least one ad originates from an advertiser, wherein the advertiser is different from the proxy and the content provider. The Examiner answers that Angles teaches that the advertisement provider (see figure 4, item 18) functions as a proxy representing a plurality of advertisers (i.e. ad agencies) and where at least one ad originates from an advertiser that pays for advertising directed at specific demographic target groups and where said advertiser is billed based on actual delivery of the ad to pertinent consumers (see col 4, lines 1-5). An ad agency represents an advertiser and therefore, can be construed to be an advertiser. Therefore, contrary to Applicant's argument, Angles anticipates Applicant's claimed invention. The Applicant argues with respect to claim 21 that Patel does not teach Applicant's claimed invention because the exchange system of Patel does not multicast advertiser offers to publishers. The Examiner answers that Patel teaches that advertisers are able to instantly submit for viewing by all publishers any number of offers on the exchange system (see paragraph 51). Therefore, contrary to Applicant's argument, Patel teaches multicasting advertisers offers to publishers. The Applicant argues with respect to claims 1-16 and 34-49 that the cable show of Eldering is not a pageview and is not broadcast in response to a page request. The Examiner answers that Eldering teaches a pageview in response to a page request (see col 12, lines 9-32). Therefore, contrary to Applicant's argument, Eldering teaches Applicant's claimed limitation. The Applicant argues that in the device of Detering, since the information needed to generate bids is already stored, the device has no need to multicast request for bids to a plurality of advertisers. The Examiner answers that the Eldering reference was used to teach the multicasting limitation.